Riches v. Stewart et al Doc. 8

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

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| Jonathan Lee Riches, # 40948-018, Plaintiff, vs. Martha Stewart, doing business as Martha Stewart Living OmniMedia, Inc.; and Philip Woolston, *dba* FCI Williamsburg Teacher, Defendants. | ) | **C/A No. 4:07-3425-MBS-WMC** **ORDER** |

This is a civil action brought by a federal prisoner. This matter is before the court because of the plaintiff's failure to comply with the magistrate judge's order of October 29, 2007 (Entry No. 5). A review of the record indicates that the magistrate judge ordered the plaintiff to submit items needed to render this case into "proper form" within twenty days, and that if he failed to do so, this case would be dismissed *without prejudice*. The plaintiff has failed to respond to the magistrate judge's order.

Accordingly, the above-captioned case is dismissed *without prejudice*. The Clerk of Court shall close the file.[*]

IT IS SO ORDERED.

January 7, 2008
Columbia, South Carolina

/s/ Margaret B. Seymour
United States District Judge

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[*]Under the General Order (Misc. No. 3:07-MC-5014-JFA) filed on September 18 2007, this dismissal *without prejudice* does *not* count as a "strike" for purposes of the "three strikes" provision of 28 U.S.C. § 1915(g). If the plaintiff wishes to bring this action in the future, he should obtain new forms for doing so from the Clerk's Office in Columbia (901 Richland Street, Columbia, South Carolina 29201).

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